

DECLARATION AND POWER OF ATTORNEY

Express Mail No.: EV 316331365 US

As the below named inventors, We hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names. We believe we are original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR CONTROLLING MIXING PROCESSES

the application of which: X is attached hereto.
 was filed in the United States Patent and Trademark Office on
 and assigned Serial Number 09/
 and was amended on (if applicable).
 was described and claimed in PCT International Application No.
 filed on and amended
 under PCT Article 19 on (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

We hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign and/or provisional application(s) for patent or inventor's certificate listed below, or of any PCT International application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN OR U.S. PROVISIONAL APPLICATION(S)

| Country | Application Number | Filing Date (Day/Month/Year) | Priority Claimed Under 35 USC § 119 |
|---------|--------------------|---------------------------------|--|
| USA | 60/203,362 | 05/10/00 | Yes <u> X </u> No <u> </u> |
| | | | Yes <u> </u> No <u> </u> |
| | | | Yes <u> </u> No <u> </u> |

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below or any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATION(S)

| Application Serial Number | U.S. Filing Date (day/month/year) | Status (patented, pending or abandoned) |
|---------------------------|--------------------------------------|--|
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And we hereby appoint the following attorney(s) and/or agent(s), with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Charles W. Calkins (Reg. No. 31,814); John M. Harrington (Reg. No. 25, 592); George T. Marcou (Reg. No. 33,014); Steven Gardner (Reg. No. 41,772); and J. Jason Link (Reg. No. 44,874).

Please address all communications, and direct all telephone calls, regarding this application to:

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We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
[Total Number of Inventors 3]

Inventor (full name) : LOWRY, Stan

Inventor's Signature : 

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Inventor (full name) : BATTE, Richard B.

Inventor's Signature : 

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